

09 / 485956

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

## REQUEST FOR FILING NATIONAL PHASE OF

## PCT APPLICATION UNDER 35 U.S.C. 371 AND 37 C.F.R. 1.494 OR 1.495

To: Assistant Commissioner for  
Patents  
Box PCT  
Washington, D.C. 20231

Our Deposit Account No. 18-1260

## Certification under 37 CFR 1.10 (if applicable)

EL238002704US

"Express Mail" mailing number

February 18, 2000

Date of Deposit

I hereby certify that this application is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Assistant Commissioner for Patents, BOX PCT, Washington, D.C. 20231.

Derrick Gordon  
(Typed or printed name of person)  
(Signature of person mailing application)TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)Attorney Dkt. 10683/402

From: SIDLEY &amp; AUSTIN

Date February 18, 20001. International Application PCT/US98/17099 2. International Filing Date 18 August 1998 3. Earliest Priority Date Claimed18 August 19974. Measured from the earliest priority date in item 3, the current due date for filing this PCT/USA National Phase Application Request is [ ] 20 months (if no Preliminary Examination Request has been filed) or [X] 30 months (if a Preliminary Examination Request was filed). Therefore, the current due date is Friday, February 18, 20005. Title of Invention COLLISION AVOIDANCE USING GPS DEVICE AND TRAIN PROXIMITY DETECTOR6. Inventor(s) Jack M. ERICK7. [X] A copy of the International Application as filed (35 U.S.C. 371(c)(2)) is transmitted herewith (file in English but if in foreign language file only if not transmitted to PTO by the International Bureau) including:

- [X] Request;
- [X] Abstract;
- 24 pgs. Spec. and Claims;
- 4 sheet(s) Drawings.

8. [X] A copy of the International Application has been transmitted by the International Bureau.

9. [X] Please immediately start national examination procedures (35 U.S.C. 371(f)).

10. A translation of the original International Application into English (35 U.S.C. 371(c)(2))

- [ ] is transmitted herewith including: (1) [ ] Abstract;  
(2) \_\_\_\_ pgs. Spec. and Claims; (3) \_\_\_\_ sheet(s) Drawings.
- [X] is not required, as the application was filed in English.
- [ ] is not herewith, but will be filed within 2 months from the due date in item 4.
- [ ] Translation verification attached.

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11. [ ] An English translation of the PCT amendment to the claims is submitted herewith.
12. [ ] PLEASE DO NOT ENTER THE PCT AMENDMENT.
13. [ ] PCT Article 19 claim amendments (if any) have been transmitted by the International Bureau.
14. A declaration of the inventors (35 U.S.C. 371(c)(4))  
 a. [ ] is submitted herewith.  
 b. [X] is not herewith, but will be filed within 2 months of the due date in item 4.
15. An International Search Report (PCT/ISA/210):  
 a. [ ] has been transmitted by the International Bureau to PTO.  
 b. [X] copy herewith (3 pg(s)). [ ] plus Annex of family members (  pg(s)).
16. International Preliminary Examination Report (I PER):  
 a. [X] has been transmitted (if this letter is filed after 28 months from date in item 3) in English by the International Bureau with Annexes (if any) in original language. The Report (3 pp) and Amended Claims (none) are enclosed herewith.  
 b. [ ] English translation of Annex(es) (PCT amendments made to claims/spec/drawings during Examination). [See paragraph 11, supra.]
17. Information Disclosure Statement including:  
 a. [X] Form PTO-1449 listing references of ISR attached.  
 b. [X] Copies of references of ISR attached.
18. [ ] Assignment document for recording is attached. Please mail the recorded assignment document back to the person whose signature, name and address appear at the end of this letter.
19. [ ] Copy of Power to IA agent.
20. [X] Drawings: 4 sheet(s) per set: [X] 1 set Informal; [ ] 1 set Formal of size [X] A4 [ ] 14"
21. [ ]   (No.) Verified Statement(s) establishing "small entity" status under Rules 9 & 27.
22. Priority is hereby claimed under 35 U.S.C. 119/365 based on the priority claim and the certified copy, both filed in the International Application during the international stage based on the filing in (country) United States of:

Application No.	Filing Date	Application No.	Filing Date
(1) <u>PCT/US98/17099</u>	<u>18 August 1998</u>		
(2) <u>US 60/055,998</u>	<u>18 August 1997</u>		
(3) _____	_____		

23. [ ] Preliminary Amendment changing the dependency of various claims.

CALCULATION OF U.S. NATIONAL FEE (35 U.S.C. 371(c)(1) AND OTHER FEES)

24. FEES BASED ON NUMBER AND TYPE OF CLAIMS (37 CFR 1.492(b)-(d))

- [ ] based on originally filed claim(s)  
 [X] Amendment submitted under Article 19 or Article 34 (enclosed)

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TOTAL EFFECTIVE CLAIMS 22 - 20 = 2 x \$ 18.00 =\$ 36.00INDEPENDENT CLAIMS 3 - 3 = 0 x \$ 78.00 =

\$ \_\_\_\_\_

If any proper (ignore improper) MULTIPLE DEPENDENT CLAIM is present, add \$260.00

\$ \_\_\_\_\_

25. BASIC NATIONAL FEE (37 C.F.R. 1.492(a)(1)-(5)): (Check only one)

( ) a. Where NO International Preliminary Examination fee & NO International Search fee has been paid to USPTO BUT an International Search Report has been prepared by the European Patent Office or the Japanese Patent Office:  
 (37 CFR 1.492(a)(5)) ----- add \$970.00 + \_\_\_\_\_

( ) b. Where NO International Preliminary Examination fee & NO International Search fee has been paid to USPTO AND there is NO International Search Report by the European Patent Office or the Japanese Patent Office:  
 (37 CFR 1.492(a)(3)) ----- add \$840.00 + \_\_\_\_\_

( ) c. If International Search Fee was paid to USPTO but NOT International Preliminary Examination fee, (37 CFR 1.492(a)(2)): ----- add \$760.00 + \_\_\_\_\_

(X) d. If International Preliminary Examination Fee was paid to USPTO and Rules 482(a)(4) and 496(b) are NOT satisfied: (37 CFR 1.492(a)(1)) - add \$670.00 + 670.00

( ) e. If International Preliminary Examination fee was paid to USPTO and Rules 482(a)(4) and 496(b) ARE satisfied,  
 (37 CFR 1.492(a)(4)) ----- add \$ 96.00 + \_\_\_\_\_

OTHER FEES:

26. If Declaration to be furnished late per item 14b ----- add \$130.00 + 130.00

27. If "small entity" box 21 is X'd, enter half (1/2) of subtotal and subtract -----

SUBTOTAL = \$ 836.00

28. If English translation to be furnished late per item 10c, ----- add \$130.00 + \_\_\_\_\_

29. If Assignment box 18 above is X'd, add Assignment Recording fee of \$40.00 + \_\_\_\_\_

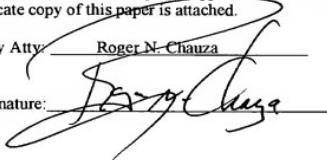
30. Attached is a check to cover the ----- TOTAL FEES \$ 836.00

The Commissioner is hereby authorized to charge to the above Account any missing or insufficient fee (except issue fee) which may be required during the pendency of this U.S. patent application. Please credit any overpayment to the above Account, for which purpose a duplicate copy of this paper is attached.

SIDLEY &amp; AUSTIN

By Atty: Roger N. Chauza Reg. No. 29,753

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RNC/bt